

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**FRANCISCA RAMIREZ-BENITO,**

**Defendant.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**CASE NO. 8:11CR354**

**ORDER**

This matter is before the Court on the Defendant's unopposed motion to determine mental competency (Filing No. 29). The motion was heard telephonically.

IT IS ORDERED:

1. The Defendant's motion to determine mental competency and for a hearing under 18 U.S.C. § 4241(a) (Filing No. 29) is granted, and a psychiatric evaluation shall be conducted and a determination made of the Defendant's competency to stand trial;

2. The Defendant is remanded to the custody of the Attorney General of the United States for a competency examination at the Federal Medical Facility, Springfield, Missouri, or other suitable facility, pursuant to the provisions of 18 U.S.C. §§ 4241 and 4247. Any examination of the Defendant must be conducted in her native language, Kanjoval. The institution or facility shall submit to the undersigned and all counsel of record a report of the evaluation within thirty (30) days of the Defendant's arrival at the facility;

3. Upon the receipt of a copy of the report required by the above paragraph, counsel shall confer with my courtroom deputy, Marian Frahm, to schedule a hearing on Defendant's competency to stand trial;

4. The United States Marshal shall immediately, without delay, transport the Defendant to the Springfield, Missouri facility, or other suitable facility as identified by the Attorney General of the United States, in accordance with this order, at no cost to the Defendant;

5. Further proceedings in this matter, including trial, are hereby continued until further order of the Court, pending resolution of the matter of the Defendant's competency. The additional time arising as a result of the granting of the motion shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A); and

6. The Clerk is directed to deliver a copy of this Order to the U.S. Marshal for this district.

DATED this 29<sup>th</sup> day of February, 2012.

BY THE COURT

s/Laurie Smith Camp  
Chief United States District Judge